<u>**REMARKS:**</u>

I. OVERVIEW

The Office Action dated June 5, 2007 has been received and carefully considered. Claims 1, and 3-53 are pending in the present application. No claims have been amended. No claims have been added.

As a preliminary matter, Applicant respectfully submits that Examiner is continually asserting more art in a piecemeal fashion -- a practice that is tedious, costly, and time consuming. MPEP 707.07(g) states that "[p]iecemeal examination should be avoided as much as possible." Additionally, "[t]he examiner ordinarily should reject each claim on all valid grounds available, avoiding, however, undue multiplication of references." MPEP 707.07(g). Applicants respectfully request such piecemeal prosecution be avoided when possible in the future.

Claims 1 and 3-53 have been rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Antell et al., U.S. Patent Publication No. 2004/0123162 ("Antell"), and Nagan et al., U.S. Patent Publication No. 2003/0126049 ("Nagan"). This rejection is respectfully traversed. Reconsideration in light of the following remarks is respectfully requested.

II. REJECTIONS UNDER 35 U.S.C. § 103(A) TO ANTELL AND NAGAN

Claims 1 and 3-53 have been rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Antell et al., U.S. Patent Publication No. 2004/0123162 ("Antell"), and Nagan et al., U.S. Patent Publication No. 2003/0126049 ("Nagan"). This rejection is respectfully traversed.

<u>Independent Claim 1</u>

Independent claim 1 recites, inter alia, the steps of "determining from the overall question set a basic question set, wherein each question of the basic question set is associated with an expected answer and wherein the basic question set comprises the minimum number of sequenced questions the answers to which would be sufficient to meet the regulatory criteria if no unexpected answers are given", "providing criteria for supplementing the basic question set with additional questions from the overall question set within the sequence of the basic question set, based on receiving an answer that differs from the expected answer, wherein the criteria are

structured to minimize the number of remaining questions that must be answered in order to comply with the regulatory criteria", and "conducting an optimized interactive customer survey with a customer using the overall question set, the basic question set, the expected answer and the criteria for supplementing the basic question set, wherein the basic question set is supplemented according to the criteria each time an answer is received that differs from the expected answer, and returning to the sequence of the basic questions set once the supplemental additional questions from the overall question set are completed."

Applicants respectfully submit that Antell does not disclose, teach, or suggest the recited elements of claim 1. Antell discloses using dynamic and prioritized questions within a question set to authenticate a user on a network. Antell describes that the questions sets are formulated, ordered and selected for inclusion based on their priority ranking generated from parsing external user information received from a data source. Further, Antell describes that a user is authenticated on a network by determining whether the users responses to a question within a question set matches like information received from a data source. See Antell Patent, Abstract; para. 6-9.

Examiner alleges that paragraphs 7-8, 34 of Antell disclose "determining from the overall question set a basic question set, wherein each question of the basic question set is associated with an expected answer and wherein the basic question set comprises the minimum number of sequenced questions the answers to which would be sufficient to meet the regulatory criteria if no unexpected answers are given", as recited in claim 1. See Office Action, Pg. 3. Applicant respectfully disagrees. Rather Antell describes a dynamic question set having questions generated from user information. For example, Antell recites that the method of authenticating a user can include "formulating question sets from a listing of potential questions...." Antell, paragraph 7. Additionally, Antell does not describe a question set where each question is associated with a specific expected answer; rather, Antell describes a method wherein the expected answer is dynamic, and may differ. Antell determines "whether the responses match like information received from a data source(s) that can include personal and/or corporate/business data." Antell, paragraph 7. Simply put, Antell does not disclose a basic question set, that is asked of all users. The questions asked for authentication are dynamic. And since the basic question set changes, the expected answers change as well.

Antell does not not disclose, teach, or suggest "determining from the overall question set a basic question set, wherein each question of the basic question set is associated with an expected answer…" More particularly, Antell does not disclose, teach or suggest "the basic question set comprises the minimum number of sequenced questions the answers to which would be sufficient to meet the regulatory criteria if no unexpected answers are given."

Additionally, Examiner alleges that paragraphs 9, 22-23, 34 of Antell disclose "providing criteria for supplementing the basic question set with additional questions from the overall question set within the sequence of the basic question set, based on receiving an answer that differs from the expected answer, wherein the criteria are structured to minimize the number of remaining questions that must be answered in order to comply with the regulatory criteria", as recited in claim 1. See Office Action, Pg. 3-4. Applicant disagrees. Antell describes that additional authorization questions are only asked from "a subsequent question set when responses to one or more previous question sets do not meet the authentication criteria." See Antell Patent, para. 9. Particularly, the user in Antell must answer the questions of the current question set before being asked questions for a subsequent question set. Thus, Antell fails to disclose, teach or suggest "providing criteria for supplementing the basic question set with additional questions from the overall question set within the sequence of the basic question set, based on receiving an answer that differs from the expected answer, wherein the criteria are structured to minimize the number of remaining questions that must be answered in order to comply with the regulatory criteria."

Further, Examiner alleges that paragraphs 23, 34, and Table C of Antell disclose "conducting an optimized interactive customer survey with a customer using the overall question set, the basic question set, the expected answer and the criteria for supplementing the basic question set, wherein the basic question set is supplemented according to the criteria each time an answer is received that differs from the expected answer, and returning to the sequence of the basic questions set once the supplemental additional questions from the overall question set are completed." See Office Action, Pg. 4. Applicant disagrees. Antell describes that a user must answer the questions of the current question set and undergo an evaluation of authentication before being asked additional questions under a subsequent question set. Thus, Antell fails to disclose, teach or suggest disclose "conducting an optimized interactive customer survey with a

customer using the overall question set, the basic question set, the expected answer and the criteria for supplementing the basic question set, wherein the basic question set is supplemented according to the criteria each time an answer is received that differs from the expected answer, and returning to the sequence of the basic questions set once the supplemental additional questions from the overall question set are completed." Accordingly, Applicant respectfully request that the rejection of claim 1 under 35 U.S.C. 103(a) be withdrawn.

Claims 3-15

Claims 3-15 depend on independent claim 1 and must be patentable over the stated references for the same reasons argued regarding claim 1. Accordingly, Applicant respectfully request that the rejection of claims 3-15 under 35 U.S.C. 103(a) be withdrawn.

Independent Claim 16

Independent claim 16 recites, inter alia, the steps of "displaying . . . at least one question having an associated single expected answer . . . selected from an overall question set comprising all possible questions for which answers may be required in order to comply with the regulatory criteria, wherein the at least one question comprises the minimum number of sequenced questions the answers to which would be sufficient to meet the regulatory criteria if no unexpected answers are given."

Examiner rejects claim 16 on the same basis as claims 1, and 3-15. The remarks and arguments with respect to claim 1 above are equally applicable to claim 16, and are herein incorporated. Accordingly, Applicant respectfully request that the rejection of claim 16 under 35 U.S.C. 103(a) be withdrawn.

Claims 17-28

Claims 17-28 depend on independent claim 16 and must be patentable over the stated references for the same reasons argued regarding claim 16. Accordingly, Applicant respectfully request that the rejection of claims 17-28 under 35 U.S.C. 103(a) be withdrawn.

Independent Claim 29

Independent claim 29 recites, inter alia, the steps of "displaying . . . at least one question having an associated single expected answer . . . selected from an optimum subset of an overall question pool comprising all possible questions for which answers may be required in order to comply with the regulatory criteria, the optimum subset including only an optimized set of sequenced questions, wherein the optimized set of sequenced questions comprises the minimum number of questions the answers to which would be sufficient to meet the regulatory criteria if no unexpected answers are received."

Examiner rejects claim 29 on the same basis as claims 1, and 3-15. The remarks and arguments with respect to claim 1 above are equally applicable to claim 29, and are herein incorporated. Accordingly, Applicant respectfully request that the rejection of claim 29 under 35 U.S.C. 103(a) be withdrawn.

Claims 30-39

Claims 30-39 depend on independent claim 29 and must be patentable over the stated references for the same reasons argued regarding claim 29. Accordingly, Applicant respectfully request that the rejection of claims 30-39 under 35 U.S.C. 103(a) be withdrawn.

Independent Claim 40

Independent claim 40 recites, inter alia, "a question optimization module adapted for structuring a sequenced optimized question set having at least one question that is selectively displayable to the user, the sequenced optimized question set being structurable based at least in part on answers received from the user interface and on predetermined single expected answers associated with the questions associated with the received answers, wherein the sequenced optimized question set comprises the minimum number of questions that must be answered to comply with the regulatory criteria, and wherein the question optimization module is adapted to supplement the sequenced optimized question set with additional questions from an overall question set after receiving answers from the user that differ from the expected answer to comprise the minimum number of remaining questions that must be answered in order to comply with the regulatory criteria."

Examiner rejects claim 40 on the same basis as claims 1, and 3-15. The remarks and arguments with respect to claim 1 above are equally applicable to claim 40, and are herein

incorporated. Accordingly, Applicant respectfully request that the rejection of claim 40 under 35 U.S.C. 103(a) be withdrawn.

Claims 41-49

Claims 41-49 depend on independent claim 40 and must be patentable over the stated references for the same reasons argued regarding claim 40. Accordingly, Applicant respectfully request that the rejection of claims 41-49 under 35 U.S.C. 103(a) be withdrawn.

Independent Claim 50

Independent claim 50 recites, inter alia, "displaying at least one question having an associated single expected answer, the at least one question having been selected from an overall question set comprising all possible questions for which answers may be required in order to comply with the regulatory criteria, wherein the at least one question comprises the minimum number of sequenced questions the answers to which would be sufficient to meet the regulatory criteria if no unexpected answers are given."

Examiner rejects claim 50 on the same basis as claims 1, and 3-15. The remarks and arguments with respect to claim 1 above are equally applicable to claim 50, and are herein incorporated. Accordingly, Applicant respectfully request that the rejection of claim 50 under 35 U.S.C. 103(a) be withdrawn.

Claims 51-53

Claims 51-53 depend on independent claim 50 and must be patentable over the stated references for the same reasons argued regarding claim 50. Accordingly, Applicant respectfully request that the rejection of claims 51-53 under 35 U.S.C. 103(a) be withdrawn.
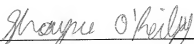

III.   Conclusion

For at least the reasons set forth above, the Applicants respectfully submit that claims 1 and 3-53 are in condition for allowance. The Applicants therefore request that the Application be allowed and passed to issue.

Should the Examiner believe anything further is desirable in order to place the Application in even better condition for allowance, the Examiner is invited to contact the Applicant's undersigned representative.

Respectfully submitted,

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